

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

In re: SCHERFEL, RAYMOND S.

Case No. 13-70031
Chapter 7

Debtor.

MOTION BY THE TRUSTEE FOR AUTHORITY TO SELL
PROPERTY OF THE ESTATE PURSUANT TO 11 U.S.C. §363(b)

Roy V. Creasy, Trustee of this case, moves for an order authorizing the trustee to sell certain property pursuant to 11 U.S.C. §363(b), and alleges as follows:

1. On January 4, 2013, an Order for Relief under Chapter 7 of the Bankruptcy Code was entered in this case.
2. Movant is the duly appointed or elected trustee in this case.
3. The estate has an interest in the following property which the trustee requests authority to sell: 2006 Hummer H2(V8) VIN 5GRGN23U66H122185; 2005 Ford F350 Super Duty Crew Cab S+XL, 4 WD VIN 1FTWWW33P95EA28702; and 2009 Harley-Davidson Cruisers FLSTF FAT BOY VIN 1HD1BX6119Y026628
4. The trustee proposes to sell the property in the following manner:
 - a. The sale shall be by public auction.
 - b. The sale shall be held Friday, May 24, 2013 at 10:00 a.m. at 2013 Walker Commercial Services, 101 Albemarle Avenue, Roanoke, Va 24013.
 - d. Terms and conditions of sale. Please see attached Personal Property Agreement.
5. The trustee has determined that there are no liens on the above listed personal

property.

WHEREFORE, the trustee requests the Court enter an Order authorizing the trustee to sell the property described herein in the manner and under the terms and conditions set forth free and clear of liens. The trustee does not intend to file a brief in connection with this motion but reserves the right to file a responsive brief if necessary.

Dated this 12th day of April, 2013.

Dated: April 12, 2013

/s/ Roy V. Creasy
Roy V. Creasy, Trustee

NOTICE OF HEARING
TO THE CREDITORS:

Notice is hereby given that there will be a hearing held before the Honorable William F. Stone, Jr. , Chief Judge at U. S. Courthouse and Federal Building, 180 W. Main St., Abingdon, VA 24210, on May 8, 2013 at 2:00 p.m. for the purpose of acting on the Motion as herein listed.

PLEASE TAKE NOTICE, that if no objections are filed with the Clerk, U. S. Bankruptcy Court, the undersigned Trustee, and U. S. Trustee no later than five (5) days prior to said hearing, the Trustee may submit an order to the Court requesting entry and withdrawal of the hearing.

Dated: April 12, 2013

/s/ Roy V. Creasy
Roy V. Creasy, Trustee

CERTIFICATE OF MAILING PURSUANT TO LOCAL RULE 9072-1

The undersigned trustee hereby certifies to the Court that a true copy of the foregoing motion and notice of hearing was mailed or electronically transmitted on this date to the debtor and all parties listed on the matrix by U. S. Mail and counsel for debtor and the Office of the U. S. Trustee by the Court's Electronic Notification System.

Dated: April 12, 2013

/s/ Roy V. Creasy
Roy V. Creasy, Trustee
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VSB015064